

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Michael Mainquist**

**Docket No. 7:15-CR-46-9H**

**Petition for Action on Supervised Release**

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Mainquist, who, upon an earlier plea of guilty to Conspiracy to Knowingly and Intentionally Distribute and Possess with the Intent to Distribute a Quantity of Heroin, in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(C), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on March 8, 2016, to the custody of the Bureau of Prisons for a term of 36 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Michael Mainquist was released from custody on November 8, 2018, at which time the term of supervised release commenced.

On November 9, 2017, a Violation Report was submitted to the court reporting that the defendant tested positive for buprenorphine (Suboxone). At that time, as Mainquist was involved in mental health treatment and placed in the Surprise Urinalysis Program at the highest level, supervision was permitted to continue.

On December 18, 2017, a Petition for Action on Supervised Release was submitted to the court reporting that the defendant tested positive for buprenorphine (Suboxone). Upon the completion of a detox program at Port Health Services, the conditions of supervised release were modified to include placement on curfew for a period of 60 days.

On October 11, 2018, a Motion for Revocation of Supervised Release was filed with the court reporting that the defendant tested positive for Xanax. After a hearing on November 7, 2018, the term of supervised release was revoked, and he was sentenced to 1-day custody to be followed by a 24-month term of supervised release, 30 days of curfew, substance abuse treatment, mental health counseling, and warrantless searches. Supervised release commenced October 12, 2018.

On June 3, 2019, a Violation Report was submitted to the court reporting that the defendant tested positive for various benzodiazepines, including oxazepam, temazepam, nordiazepam, and 7-aminoclonazepam. Mainquist was returned to a higher level of outpatient substance abuse treatment and his participation in the Surprise Urinalysis Program was increased to the highest level.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On June 27, 2019, Mainquist submitted to a urinalysis screening, which was confirmed as positive for Lorazepam, Alpha-Hydroxyalprazolam, and 7-aminoclonazepam by Alere Laboratories on July 1, 2019. Mainquist was confronted with the results of that screening and admitted to using benzodiazepines, for which he does not have a prescription. As a sanction for the violation conduct, it is respectfully recommended that the conditions of supervision be modified to include the successful completion of 30 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 30 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

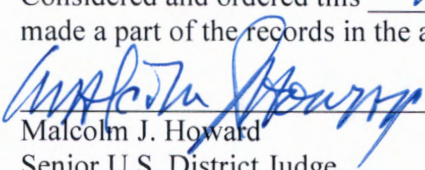
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Kristyn Super  
Kristyn Super  
U.S. Probation Officer  
200 Williamsburg Pkwy, Unit 2  
Jacksonville, NC 28546-6762  
Phone: 910-346-5104  
Executed On: July 10, 2019

**ORDER OF THE COURT**

Considered and ordered this 10<sup>th</sup> day of July, 2019, and ordered filed and  
made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge